

**Before the State of South Carolina  
Department of Insurance**

In the matter of:

Catherine L. Humphries,  
  
5030 N. Main Street  
Columbia, South Carolina 29203

File Number 115328

**Default Order Revoking  
All Licensing Privileges**

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (Supp. 2004), by the State of South Carolina Department of Insurance upon Catherine L. Humphries by both certified mail, return receipt requested, and by regular mail on September 18, 2005.

That letter informed Catherine L. Humphries of her right to request a public hearing upon the allegations of impropriety contained within the letter against her. The letter further warned that her failure to make a timely, written request would result in my summary revocation of her license to do business as a resident insurance producer within the State of South Carolina. **Despite that warning, Catherine L. Humphries has failed to respond to the Department's letter.** On December 16, 2005, therefore, counsel for the Department filed an Affidavit of Default, and submitted the entire matter directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to do business as a resident insurance producer within the State of South Carolina he was convicted of two counts of, "Breach of Trust W/Fraud Intent, Value>1000" which is a crime of moral turpitude.

Section 38-43-130 of the South Carolina Code provides the Director or his designee "may revoke or suspend a producer's license after ten day's notice...when it appears that a producer...has been convicted of a crime involving moral turpitude.

In accordance with my findings of fact, and considering Catherine L. Humphries's failure to avail himself of his opportunity to be heard, I now conclude, as a matter of law, that Catherine L. Humphries violated S.C. Code Ann. § 38-43-130 (A) that her agent/appraiser's license should be revoked.


This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's, *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2000). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory

duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. § 38-3-110(3) (Supp. 2004).

It is, therefore, ordered that the license of Catherine L. Humphries to do business as a agent/appraiser within the State of South Carolina be, and is hereby, revoked, and that no license issued through the State of South Carolina Department of Insurance is to be issued to her.

It is further ordered that a copy of this order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Catherine L. Humphries is currently licensed, through the State of South Carolina Department of Insurance, as a agent/appraiser within the State of South Carolina.

This order becomes effective as of the date of my signature below.

  
Eleanor Kitzman  
Director

January 17, 2006 at  
Columbia, South Carolina

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Catherine L. Humphries default revocation.doc

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5030 N. Main Street  
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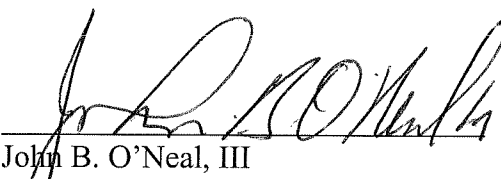
SCDOI File Number 115328

**Affidavit of Default**

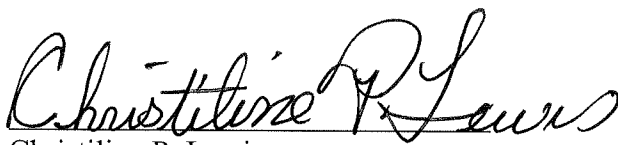
Personally appeared before me John B. O'Neal, III, who, being duly sworn, stated that at all times relevant to this Affidavit of Default he was the attorney representing the State of South Carolina Department of Insurance (the Department) in this administrative action. He further stated the following:

The Department served notice on Catherine L. Humphries at the address detailed above by a Letter of Allegation and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke his license to act as a resident insurance producer within the State of South Carolina in thirty days. The Department served that notice, pursuant to S.C. Code Ann. § 38-3-170 (Supp. 2004), by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested." That letter further notified Catherine L. Humphries of her opportunity, within thirty days, to request in writing a public hearing.

The Department mailed the notice concerning the right to a hearing by certified mail, return receipt requested, and by regular mail, on or about September 18, 2005. On September 30, 2005 the United States Postal Service returned the certified letter and regular letter marked "other". Catherine L. Humphries has made no request for a public hearing or any other response to the notice. The time in which to do so has expired. She is now in default.

  
John B. O'Neal, III  
Associate General Counsel

Sworn to and subscribed before me  
this 12 day of January 2006

  
Christiline P. Lewis  
Notary Public for the State of South Carolina  
My Commission Expires: November 20, 2006

South Carolina Department of Insurance  
Post Office Box 100105  
Columbia, South Carolina 29202  
(803) 737-6132